

FILED

IN CLERKS OFFICE  
U.S. DISTRICT COURT ED. N.Y.

★ MAR 30 2007 ★

P.M. \_\_\_\_\_  
TIME A.M. \_\_\_\_\_

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

----- X  
LARRY JACOBSON, as Chairman of the Joint Industry :  
Board of the Electrical Industry, :

Plaintiff, :

-against- :

ACTION ELEVATOR, INC., :

Defendant. X  
-----

03-CV-2476 (ARR)(CLP)

NOT FOR ELECTRONIC  
OR PRINT  
PUBLICATION

OPINION AND ORDER

ROSS, United States District Judge:

The court has received the Report and Recommendation on the instant case dated February 16, 2007, and the Supplemental and Amended Report and Recommendation dated March 13, 2007, from the Honorable Cheryl L. Pollak, United States Magistrate Judge. No objections have been filed. Having conducted a de novo review of the record, the court hereby adopts the Report and Recommendations, in their entirety, as the opinion of the court pursuant to 28 U.S.C. § 636(b)(1).

Accordingly, the court finds that plaintiff is entitled to judgment against Action Elevator, Inc., Richard Trovato, and Henry Shostchuk. The court further orders that plaintiff be awarded \$8,355.64 in interest on the delinquent contributions, \$8,355.64 in liquidated damages, \$13,139.50 in attorneys' fees and \$362.54 in costs, for which Action Elevator, Trovato, and Shostchuk are jointly and severally liable. The Clerk of the Court is directed to enter judgment accordingly.

SO ORDERED.

s/ Allyne R. Ross

---

Allyne R. Ross  
United States District Judge

Dated: March 30, 2007  
Brooklyn, New York

SERVICE LIST:

*Counsel for Plaintiffs:*

Eyad Asad  
Cohen, Weiss and Simon, LLP  
330 West 42nd St  
25th Floor  
New York, NY 10036

*Defendant:*

Action Elevator, Inc.  
1275 Bloomfield Avenue  
Fairfield, NJ 07004

Richard Trovato  
16 Caryn Place  
Fairfield, NJ 07004

Henry Shostchuk  
258 Mount Airy Road  
Glen Gardner, NJ 08826

cc: Magistrate Judge Pollak